

HOUSE BILL 421

M4

(0lr0047)

ENROLLED BILL

— *Environmental Matters/Education, Health, and Environmental Affairs* —

Introduced by **Chair, Environmental Matters Committee (By Request –
Departmental – Agriculture)**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Department of Agriculture – Advertising Agricultural Products as Locally**
3 **Grown – Regulatory Authority**

4 FOR the purpose of authorizing the Secretary of Agriculture to adopt standards under
5 certain conditions to regulate the advertising of certain agricultural products;
6 requiring the Secretary to convene and consult with a certain advisory group to
7 determine the definition of a certain term before adopting certain standards;
8 prohibiting a person from *knowingly* advertising or identifying certain
9 agricultural products in violation of certain standards; and generally relating to
10 the advertising of agricultural products as locally grown.

11 BY adding to
12 Article – Agriculture

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 Section 10–1701 and 10–1702 to be under the new subtitle “Subtitle 17.
 2 Advertising or Identifying Agricultural Products as Locally Grown”
 3 Annotated Code of Maryland
 4 (2007 Replacement Volume and 2009 Supplement)

5 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 6 MARYLAND, That the Laws of Maryland read as follows:

7 **Article – Agriculture**

8 **SUBTITLE 17. ADVERTISING OR IDENTIFYING AGRICULTURAL PRODUCTS AS**
 9 **LOCALLY GROWN.**

10 **10–1701.**

11 ~~THE~~ **(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE**
 12 **SECRETARY MAY ADOPT STANDARDS TO REGULATE THE USE OF THE TERMS**
 13 **“LOCALLY GROWN” AND “LOCAL” TO ADVERTISE OR IDENTIFY AN**
 14 **AGRICULTURAL PRODUCT.**

15 **(B) BEFORE ADOPTING STANDARDS UNDER THIS SECTION, THE**
 16 **SECRETARY SHALL CONVENE AND CONSULT WITH AN ADVISORY GROUP OF**
 17 **INTERESTED STAKEHOLDERS, ~~INCLUDING~~ TO DETERMINE THE DEFINITION OF**
 18 **THE TERM “LOCALLY GROWN”.**

19 **(C) THE INTERESTED STAKEHOLDERS CONVENED UNDER SUBSECTION**
 20 **(B) OF THIS SECTION SHALL INCLUDE REPRESENTATIVES FROM**
 21 **ORGANIZATIONS THAT REPRESENT:**

- 22 **(1) FARMERS;**
 23 **(2) FOOD DISTRIBUTORS;**
 24 **(3) RETAIL STORES;**
 25 **(4) FOOD SERVICE INDUSTRIES; AND**
 26 **(5) RESTAURANTS.**

27 **10–1702.**

28 **A PERSON MAY NOT KNOWINGLY ADVERTISE OR IDENTIFY ANY**
 29 **AGRICULTURAL PRODUCT IN VIOLATION OF THE STANDARDS ADOPTED BY THE**
 30 **SECRETARY UNDER § 10–1701 OF THIS SUBTITLE.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2010.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.